



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,643	07/21/2003	Wilfried Eberle	028987.52342US	9975
23911	7590	06/23/2004	EXAMINER	
CROWELL & MORING LLP INTELLECTUAL PROPERTY GROUP P.O. BOX 14300 WASHINGTON, DC 20044-4300			BOCHNA, DAVID	
			ART UNIT	PAPER NUMBER
			3679	

DATE MAILED: 06/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/622,643

Applicant(s)

EBERLE ET AL.

Examiner

David E. Bochna

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-7, 9 and 12-17 is/are rejected.
- 7) ☒ Claim(s) 4, 8, 10 and 11 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed 5/5/04 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because it lists "European Search Report", which is not a proper non patent literature document. If the applicant wishes to have the references listed on the European Search Report reviewed by the Examiner, the Applicant should supply an IDS with all of the references listed on the European Search Report separately listed on the IDS. The European Search Report has also been lined through because it is not proper to print "European Search Report" on the face of the patent, should this application be allowed.

It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609 ¶ C(1).

Claim Objections

2. Claim 1 is objected to because of the following informalities: It is unclear if the "first coupler halves" is included in the "two coupler halves" or are the first coupler halves in addition to the two coupler halves. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 3679

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2 and 5-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Takahashi.

In regard to claim 1, Takahashi discloses a device for providing wall ducts for conduits, tubing or electric cables for motor vehicles, wherein each conduit, tube or electric cable in an area of a wall duct contains a coupler, the coupler comprising two coupler halves, first coupler halves 8, respectively, being jointly held in the device for providing wall ducts,

wherein at least two first coupler halves 8, respectively, are held together by a bracket 6, wherein plugs 4 for receiving the first coupler halves 8 are provided in orifices of a wall 2, and

wherein the first coupler halves 8 are held in the plugs 4.

In regard to claim 2, wherein the plugs 4 are made of elastic rubber material and are combined into groups.

In regard to claim 5, Takahashi discloses a device for providing wall ducts for conduits, tubing or electric cables for motor vehicles, comprising:

a coupler provided for each of the conduits, tubes or electric cables in an area of one of the wall ducts, each coupler comprising first and second coupler halves,

a bracket 6 by which at least two first coupler halves 8 are jointly held together, and plugs 4 for receiving the at least two first coupler halves provided in orifices of a wall, wherein at least two first coupler halves are held in at least two of the plugs.

In regard to claim 6, wherein the plugs 4 are made of elastic rubber material and are combined into groups.

Art Unit: 3679

5. Claims 1-3, 5-7, 9 and 12-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Bartholomew.

In regard to claim 1, Bartholomew discloses a device for providing wall ducts for conduits, tubing or electric cables for motor vehicles, wherein each conduit, tube or electric cable in an area of a wall duct contains a coupler, the coupler comprising two coupler halves, first coupler halves 18, respectively, being jointly held in the device for providing wall ducts,

wherein at least two first coupler halves 18, respectively, are held together by a bracket 20,

wherein plugs 26, 28 for receiving the first coupler halves are provided in orifices 14 of a wall, and

wherein the first coupler halves 18 are held in the plugs 26, 28.

In regard to claim 2, wherein the plugs 26, 28 are made of elastic rubber material and are combined into groups.

In regard to claim 3, the plugs 26, 28 contain steps 40 which act together with protrusions provided in the first coupler halves 18, in a snap-fit fashion.

In regard to claim 5, Bartholomew discloses a device for providing wall ducts for conduits, tubing or electric cables for motor vehicles, comprising:

a coupler provided for each of the conduits, tubes or electric cables in an area of one of the wall ducts, each coupler comprising first 18 and second 74 coupler halves,

a bracket 20 by which at least two first coupler halves are jointly held together, and plugs 26, 28 for receiving the at least two first coupler halves provided in orifices 14 of a wall, wherein at least two first coupler halves are held in at least two of the plugs.

Art Unit: 3679

In regard to claim 6, wherein the plugs 26, 28 are made of elastic rubber material and are combined into groups.

In regard to claim 7, the plugs contain steps 40 which act together with protrusions provided in the first coupler halves 18, in a snap-fit fashion.

In regard to claim 12, Bartholomew discloses a process of assembling wiring sections of wiring for a motor vehicle comprising;

providing a wall 12 of the motor vehicle with orifices 14,

providing first coupler halves 18 for first sections of the wiring,

pressing the first coupler halves into a bracket 20 so that at least two of the first coupler halves are jointly held together,

pushing the first coupler halves 18 which are held together with the bracket into respective plugs 26, 28 received in the orifices 14, and fastening second coupler halves 74 to said first coupler halves to assemble second sections 97 of the wiring to said first sections 95 of the wiring in a later operation.

In regard to claim 13, wherein the wiring is any of conduits, tubing and electric cables.

In regard to claim 14, wherein the plugs 26, 28 are made of elastic rubber material and are combined into groups.

In regard to claim 15, wherein at least one of the plugs contains a step 40 which acts, together with a protrusion provided on one of the first coupler halves, in a snap-fit fashion.

In regard to claim 16, wherein the plugs 26, 28 are made of elastic rubber material and are combined into groups.

In regard to claim 17, wherein at least one of the plugs contains a step 40 which acts, together with a protrusion provided on one of the first coupler halves, in a snap-fit fashion.

Art Unit: 3679

Allowable Subject Matter

6. Claims 4, 8 and 10-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

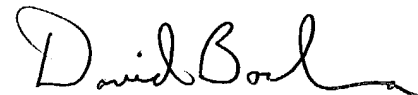
Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Souvatzidis et al., Johl, Jr. et al., Hawkins, Jr. et al., Kitamura, Martin, Blenkush, De Vincent et al., and De Vincent et al. '152 all disclose similar couplings common in the art.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Bochna whose telephone number is (703) 306-9040. The examiner can normally be reached on 8-5:30 Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (703) 308-2686. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2168.



David Bochna
Primary Examiner
Art Unit 3679
June 17, 2004